

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas A. O'Rourke on April 7, 2008.

The application has been amended as follows:

In the abstract:

line 2, changed "the" to --a--

line 3, changed "The" to --A--

line 5, inserted --sash-- following "sliding"

line 6, inserted --sash-- following "sliding" and inserted --toward the extended position-- following "tumbler"

line 7, changed "the" to --a--

line 8, changed "a" to --the--

In the specification:

page 8,

following line 9, but before line 10, inserted --Figure 34 is a side view of the housing having pivot members.--

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page 9,

line 18, inserted --as shown in Figure 34-- following "20"

page 11,

line 3, inserted --which are retained in openings 36 and 37-- following "35"

In the claims:

claim 1,

line 2, changed "where" to --wherein--

line 3, changed "where" to --wherein--

line 6, changed "extending from said face plate, which" to --, said front and rear walls and said sidewalls extend from said face plate to--

line 7, changed "create" to --define--

line 8, deleted "being"

line 9, changed "shaped to include" to --including--

line 12, changed "to" to --toward-- and changed "then" to --is adapted to overlie--

line 14, deleted "overlies"

line 15, changed "sliding sash member past the front face of the" to --first sash member relative to said second sash member--

line 16, deleted "tumbler"

line 21, changed "in said housing cavity" to --within said housing cavity when said tumbler is in said retracted position--

line 23, inserted --a generally U-shaped head,-- following "having" and changed "both of which" to --said base ends--

changed line 24 to --said release member pivot point such that said release member--

changed line 26 to --includes first and second pins to pivotally mount said release member in said housing cavity; and--

line 27, deleted the comma following "button"

line 30, changed "it" to --said release member--

claim 4,

line 1, inserted --has a pin-- following "button"

changed line 2 to --that contacts a face on said release member when said button is pushed.--

deleted line 3

claim 9,

line 2, changed "where" to --wherein--

line 3, changed "where" to --wherein--

line 5, deleted "extending"

line 6, deleted "from said faceplate"

line 7, deleted "being"

line 8, changed "shaped to include" to --including--

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line 11, changed "to" to --toward--

line 14, deleted the semicolon

line 17, changed "a" to --said--

line 18, inserted --to retain said tumbler in said retraced position-- following the first occurrence of "tumbler"

line 20, inserted --also-- following "member" and deleted "and a head"

line 21, changed "whereby" to --such that--

claim 14,

line 3, changed "said sidewall" to --one of said sidewalls--

claim 15,

line 2, changed "where" to --wherein-- and inserted --to-- following "respect"

line 3, changed "where" to --wherein--

line 6, changed "where" to --wherein-- and changed "side walls" to --sidewalls--

line 8, deleted "being"

line 9, changed "shaped to include" to --including--

line 12, changed "to" to --toward-- and changed "then" to --is adapted to overlie--

line 14, deleted "overlies"

line 15, changed "sliding sash member past the front face of the" to --first sash member relative to said second sash member--

line 16, deleted "tumbler"

line 19, inserted --said tumbler further including sides and-- before "a" and changed "which" to --said protrusions--

line 20, changed "dictate the maximum" to --determining--

line 21, inserted --respectively-- following "are"

line 24, deleted "wherein"

line 25, changed "in said housing cavity" to --within said housing cavity when said tumbler is in said retracted position--

line 27, inserted --a head,-- following "having" and changed "both of which" to --said base ends--

changed line 28 to --extend from said release member pivot point such that said--

changed line 30 to --release member includes first and second pins which pivotally mount said release member in said--

line 32, changed "button, disposed on" to --button accessible through--

line 33, changed "which when" to --when said button is-- and changed "the plane" to --a plane defined by said faceplate--

changed line 34 to --, said button moves said release member from said first--

line 35, changed "causing said tumbler to be in" to --allowing said tumbler to pivot to--

claim 18,

line 1, inserted --has a pin-- following "button"

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changed line 2 to --that contacts a face on said release member when said button is pushed.--

deleted line 3

claim 19,

line 2, changed "retracted" to --moved to said retracted position--

claim 20,

line 2, changed "where" to --wherein--

line 3, changed "where" to --wherein--

line 6, changed "where" to --wherein--, changed "side walls" to --sidewalls-- and inserted --to define a cavity-- following "faceplate"

line 8, deleted "being"

line 9, changed "shaped to include" to --including--

line 11, changed "then" to --is adapted to overlie--

line 13, deleted "overlies"

line 14, changed "sliding sash member past the front face of the tumbler" to --first sash member relative to said second sash member--

line 17, changed "into" to --toward--

line 20, changed "in said housing cavity" to --within said housing cavity when said tumbler is in said retracted position--

line 21, deleted "out"

changed line 22 to --retracted position to said extended position; said release member having a generally U-shaped head, a first base end and a second base end, said base ends--

changed line 23 to --extend from said release member pivot point such that said--
line 25, changed "contains" to --includes-- and changed "to permit pivotal mounting" to --which pivotally mount said release member--

line 27, deleted the comma following "button"

line 30, changed "the plane of the front face," to --a plane defined by the faceplate, said button--

line 31, changed "it" to --said release member--

claim 24,

line 2, changed "where" to --wherein--

line 3, changed "where" to --wherein--

line 6, changed "extending" to --, said front and rear walls and said sidewalls extend--

changed line 7 to --to define a housing cavity;--

line 8, deleted "being"

line 9, changed "shaped to include" to --including--

line 11, changed "to" to --towards--

line 15, deleted the semicolon

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line 19, inserted --to retain said tumbler in said retracted position-- following the first occurrence of "tumbler"

claim 25,

line 1, changed "further comprising" to --wherein said tumbler further comprises--

line 2, deleted "on either side of said tumbler"

line 3, changed "from" to --on--

claim 26,

line 2, changed "where" to --wherein--

line 3, changed "where" to --wherein--

line 6, changed "extending from said face plate" to --, said front and rear walls and said sidewalls extending from said face plate to define a housing cavity--

line 7, deleted "being"

line 8, changed "shaped to include" to --including--

line 11, changed "to" to --toward-- and changed "then" to --is adapted to overlie--

line 13, deleted "overlies"

line 14, changed "sash past the front face of the" to --first sash member relative to said second sash member--

line 15, deleted "tumbler"

line 17, deleted the semicolon

changed line 20 to --in which said release member confines said tumbler in said housing cavity when said tumbler is in said retracted position;--

line 21, deleted the comma before "said release" and changed the first occurrence of "and" to a comma

changed line 23 to --T-shaped, wherein said head engages said tumbler when said tumbler is in said retracted position and said release member is in said first position and does not contact said tumbler when said tumbler is in said extended position and wherein said release member includes first and second--

changed line 24 to --pins to pivotally mount said release member in said housing.--

claim 27,

line 2, changed "on" to --adjacent--

line 3, changed "which when pressed inwardly" to --wherein when said button is pressed inwardly, said button--

changed line 4 to --first position to a second position thereby allowing said tumbler to move from said retracted position to said--

line 5, inserted --position-- following "extended"

claim 28,

line 2, changed "where" to --wherein--

line 3, changed "where" to --wherein--

line 6, inserted --, said front and rear walls and said sidewalls-- following
"sidewalls"

line 7, changed "create" to --define--

line 8, deleted "being shaped to"

line 9, changed "include" to --including--

line 12, changed "to" to --toward-- and changed "then" to --is adapted to overlie--

line 14, deleted "overlies"

line 15, changed "sliding sash member past the front face of" to --first sash
member relative to said second sash member--

line 16, deleted "the tumbler"

line 18, deleted the semicolon

line 21, changed "in said housing cavity" to --within said housing cavity when said
tumbler is in said retracted position--

line 24, changed "contains" to --includes--

changed line 25 to --which pivotally mount said release member on said housing;
and--

changed line 27 to --position to a second position thereby allowing said tumbler
to move from said retracted position to said extended--

claim 29,

line 2, changed "in said recess in" to --of--

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canceled claims 32-46

Drawings

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

In figure 5 show the retaining pins 55 and 56

In figure 16 delete reference characters "26" and "63" and their attendant
lead lines

In figure 27 include the reference character "50" and its attendant lead
line identifying the opening

Include a new figure 34 showing the housing having protrusions and the tumbler having recessed tracks as set forth in claim 25.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Mitchell can be reached on 571-272-7069. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Gregory J. Strimbu/
Primary Examiner, Art Unit 3634